



U.S. Department of Justice

Civil Rights Division

Washington, D.C. 20530

Jim Hood
Attorney General
Office of the Attorney General
Walter Sillers Building, Suite 1200
550 High Street
Jackson, MS 39201

AUG 08 2016

Dear Mr. Hood:

We are writing to notify you that we have determined that we are unable to secure compliance by voluntary means to remedy the violations of Title II of the Americans with Disabilities Act outlined in our December 22, 2011, Letter of Findings. Therefore, the Attorney General has authorized a lawsuit against the State of Mississippi under the ADA and the Civil Rights of Institutionalized Persons Act to obtain a remedy for the State's unnecessary institutionalization of adults with mental illness in its state psychiatric hospitals and placing adults with mental illness at risk of unnecessary institutionalization.

As you know, we have been engaged with the State in a series of negotiations since early 2012. Most recently, we made a final offer to the State that would have resolved all of our claims, including claims related to adults with mental illness; however, the State rejected that offer. Though we prefer to resolve our claims without the need for litigation because of the potential to bring remedies to individuals who need them quickly and to avoid the costs associated with litigation, we have determined that is not possible in this case. As a result, the United States will be filing the abovementioned litigation.

Finally, the United States will continue to evaluate its options with regard to its claims related to children with mental health conditions and individuals with intellectual and developmental disabilities.

Sincerely,

Vanita Gupta
Principal Deputy Assistant Attorney General
Civil Rights Division

EXHIBIT

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